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CPA/1632#

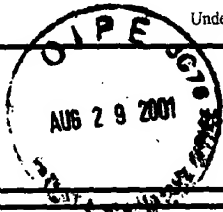
PTO/SB/29 (10/00)

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

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Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No. of Prior Application	514413-3669
First Named Inventor	Donn
Examiner Name	P. Brunovskis
Group/Art Unit	1632
Express Mail Label No.	EL819167826US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. 1.53(d), (continued prosecution application (CPA)) of prior application number 09/155,921, filed on May 13, 1999, entitled **PROCESS FOR THE PRODUCTION OF PLANTS WITH ENHANCED GROWTH CHARACTERISTICS.**

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule. 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule. 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P- NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☒ Enter the unentered amendment previously filed on July 17, 2001 under 37 C.F.R. 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53(d)(4).
 - ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - ☐ PTO-1449
 - ☐ Copies of IDS Citations

09/04/2001 RHARISI 00000061 09155921

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR. 1.16(c) or (j))		7 - 20* =	0	x \$ 18 =	\$ 0.00
INDEPENDENT CLAIMS (37 CFR. 1.16(b) or (i))		2 - 3** =	0	x \$ 80 =	0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 270 =	
				BASIC FEE (37 C.F.R. § 1.16)	710.00
				Total of above Calculations =	\$ 710.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
* Reissue claims in excess of 20 and over original patent.					
** Reissue independent claims over original patent					
TOTAL =					\$ 710.00

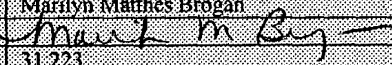
6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27)
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. **50-0320**
- a. ☒ Fees required under 37 C.F.R. 1.16.
- b. ☒ Fees required under 37 C.F.R. 1.17.
- c. ☐ Fees required under 37 C.F.R. 1.18.
8. ☒ A check in the amount of \$**710.00** is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503).
13. ☐ Other:

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here)		or <input type="checkbox"/> New correspondence address below	
Name	FROMMER LAWRENCE & HAUG LLP		
Address	745 Fifth Avenue		
City	New York	State	NY
Country	U.S.	Telephone	(212) 588-0800
		Zip Code	10151
		Fax	(212) 588-0500

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Marilyn Matthes Brogan
Signature	
Registration No. (Attorney/Agent)	31 223
Date	August 29, 2001



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CERTIFICATE OF MAILING - SEPARATE PAPER

Attorney Docket No. : 514413-3669
Serial No. : 09/155,921
Filed : May 13, 1999
Applicant(s) : Donn

Date of Deposit 08/29/01 via "Express Mail" # EL 819167826 US

I hereby certify that a Continued Prosecution Application and related documents for the above-referenced application are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

Box CPA
Assistant Commissioner for Patents
Washington, D.C. 20231

Charles Jackson

(Typed or printed name of person mailing paper or fee)

Charles Jackson

(Signature of person mailing paper or fee)



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/155,921	05/13/1999	1632	1060	514413-3669		1	1

CONFIRMATION NO. 9327

CORRECTED FILING RECEIPT



OC00000006521413

WILLIAM F LAWRENCE
FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE
NEW YORK, NY 10151

Date Mailed: 09/06/2001

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO process s the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

GUNTER DONN, HOFHEIM, GERMANY;
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KATALIN PAULOVSICS, GRADNA, HUNGARY;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/EP97/01741 04/08/1997

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 96 105 679.3 04/11/1996

If Required, Foreign Filing License Granted 09/06/2001

CPA filed on: 08/29/2001

Projected Publication Date: 12/13/2001

Non-Publication Request: No

Early Publication Request: No

Title

PROCESS FOR THE PRODUCTION OF PLANTS WITH ENHANCED GROWTH
CHARACTERISTICS

Preliminary Class

800

Data entry by : ZIMMERMAN, PATSY

Team : 1600

Date: 09/06/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
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